

# HOUSE BILL No. 1567

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-37-3-3.5.

**Synopsis:** Curfew. Permits a child to be in a public place after curfew if the child is participating in an activity undertaken at the written direction of the child's parent, guardian, or custodian.

**Effective:** July 1, 2005.

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**Walorski, Ayres, Pelath, Ulmer**

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January 18, 2005, read first time and referred to Committee on Judiciary.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1567

A BILL FOR AN ACT to amend the Indiana Code concerning juvenile law.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 31-37-3-3.5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3.5. (a) It is a defense  
3 to a violation under this chapter that the child was emancipated:

4 (1) under IC 31-37-19-27 or IC 31-6-4-15.7 (before its repeal);

5 (2) by virtue of having married; or

6 (3) in accordance with the laws of another state or jurisdiction;  
7 at the time that the child engaged in the prohibited conduct.

8 (b) It is a defense to a violation under this chapter that the child  
9 engaged in the prohibited conduct while:

10 (1) accompanied by the child's parent, guardian, or custodian;

11 (2) accompanied by an adult specified by the child's parent,  
12 guardian, or custodian;

13 (3) participating in, going to, or returning from:

14 (A) lawful employment;

15 (B) a school sanctioned activity;

16 (C) a religious event;

17 (D) an emergency involving the protection of a person or



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1 property from an imminent threat of serious bodily injury or  
 2 substantial damage;  
 3 (E) an activity involving the exercise of the child's rights  
 4 protected under the First Amendment to the United States  
 5 Constitution or Article 1, Section 31 of the Constitution of the  
 6 State of Indiana, or both, such as freedom of speech and the  
 7 right of assembly; or  
 8 (F) an activity conducted by a nonprofit or governmental entity  
 9 that provides recreation, education, training, or other care  
 10 under the supervision of one (1) or more adults; ~~or~~  
 11 **(4) participating in an activity undertaken at the written**  
 12 **direction of the child's parent, guardian, or custodian; or**  
 13 ~~(4)~~ **(5)** engaged in interstate or international travel from a location  
 14 outside Indiana to another location outside Indiana.

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